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Atty. Dkt. No. 016915-0244

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Gerd GEISSLINGER et al.

Title:

USE OF R-ARYL

PROPIONIC ACIDS FOR

PRODUCING

MEDICAMENTS TO TREAT DISEASES IN HUMANS AND ANIMALS,

WHEREBY SAID DISEASES CAN BE THERAPEUTICALLY INFLUENCED BY INHIBITING THE

ACTIVATION OF NF-kB

Appl. No.:

09/914,270

Appl. Filing Date:

09/24/2001

Examiner:

S. Wang

Art Unit:

1617

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Mail Stop RCE Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

04/30/2004 SDIRETRI 00000145 09914270

01 FC:2801 02 FC:2823 03 FC:1460

385.00 DF 420.00 DF 130.00 DF [X] Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| [] Extension for response filed within the firm | st month: \$110.00 0 \$0.00 |
|--------------------------------------------------|----------------------------------|
| [] Extension for response filed within the sec | 40.00 |
| [X] Extension for response filed within the thi | 40.00 |
| [] Extension for response filed within the four | |
| [] Extension for response filed within the fift | |
| EXTENSI | ON FEE SUBTOTAL: \$950.00 |
| EXTENSION F | FEE ALREADY PAID: - \$110.00 |
| ЕХТ | ENSION FEE TOTAL \$840.00 |
| | ENSION FEE TOTAL: \$1610.00 |
| [X] Small Entity Fees Apply | (subtract ½ of above): \$805.00 |
| [X] Suspension of action requested under | er 37 C.F.R. § 1.103(c) \$130.00 |
| · | TOTAL FEE: \$935.00 |

- [] Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- [X] A check in the amount of \$935.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 29, 2004

FOLEY & LARDNER LLP Customer Number: 22428

Telephone:

(202) 672-5414

Facsimile:

(202) 672-5399

By Mahwad

Richard L. Schwaab Attorney for Applicants Registration No. 25,479

Paul D. Strain Agent for Applicants Registration No. 47,369